

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1, 2, 8-13, 17, 21, 25, and 29-53 are pending in this application. Claims 1, 9-12, and 17 are amended. Claims 3-7, 14-16, 18-20, 22-24, and 26-28 are cancelled. Claims 29-53 are added. Claims 1 and 9-12 are the independent claims.

Statement Under 37 C.F.R. 1.133(b)

The Applicant thanks the Examiner for the courtesy shown during the telephonic interview conducted on June 24, 2009. During the interview, proposed claim amendments were discussed as well as the cited references U.S. Patent 5,923,627 to Miwa and U.S. Patent 6,876,008 to Pintz. The Examiner indicated that the proposed claim amendments distinguished the claims from the cited references. The Examiner indicated that if the claims were amended as discussed, then the claims would overcome the cited art in the current rejections. The Examiner also suggested minor changes to the claim language.

Rejections under 35 U.S.C. § 102

Claims 1-3, 8-13, 16, 17, 20, 21, 24, 25, and 28 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,923,627 to Miwa et al. ("Miwa"). The Applicant respectfully traverses these rejections.

A claim is anticipated only if each and every element as forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP Sec. 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir.1987).

As discussed during the interview, the cited references do not teach or suggest every element as set forth in the independent claims. The claims as amended herein include the features discussed during the interview to not be taught or suggested in the cited references. Because the cited references do not teach or suggest all of the limitations set forth in the independent claims, the Applicant respectfully requests that the rejections under 35 U.S.C. 102 of independent claims 1 and 9-12 and their corresponding dependent claims 2, 3, 8, 13, 16, 17, 20, 21, 24, 25, and 28 be removed.

Rejections under 35 U.S.C. § 103

Claims 5, 6, 14, 18, 22, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miwa applied to claims 1-3, 8-13, 16, 17, 20, 21, 24, 25, and 28 above, and further in view of U.S. Patent 6,876,008 to Pintz et al. ("Pintz"). The Applicant respectfully traverses this rejection.

Claims 5, 6, 14, 18, 22, and 26 are ultimately dependent upon one of the independent claims 1, 9, 10, 11, and 12 mentioned above and described above to be patentable. Therefore, claims 5, 6, 14, 18, 22, and 26 are patentable at least by reason of their dependency. The Applicant respectfully requests that the rejections under 35 U.S.C. §103 of claims 5, 6, 14, 18, 22, and 26 be removed.

New Claims

New claims 29-53 have been added. These claims are dependent upon one of the independent claims discussed above which have already been indicated to be allowable over the cited art by the Examiner in the interview conducted June 24, 2009. Thus, the new dependent claims are allowable by reason of their dependency.

Further, they also contain additional features which also distinguish the prior art in their own right. Therefore, the Applicant respectfully requests the allowance of claims 29-53.

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CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Gary Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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